

Minutes

Talbot County Board of Elections
215 Bay Street
Easton, MD 21601
January 20, 2021

Present:

Board

Joseph Secrist, President	(R)
Walter Black	(D)
Susan MacKinnon	(D)
Richard Bulman	(R)
Wadella Thomas	(R)

Staff

Jeri Cook, Election Director

Board Attorney

Lyndsey Ryan

Public

None

The monthly meeting of the Talbot County Board of Elections was held on January 20. Due to restrictions imposed as a result of the COVID 19 pandemic, the meeting was held by videoconference and teleconference. The public was invited to listen by conference call and advised via the Board website and on the agenda of the procedure to do so. Mr. Secrist called the meeting to order at 9:36 a.m. Mr. Secrist noted that a quorum was present.

Approval of Minutes

Mr. Secrist asked if the Board had any corrections or additions to the minutes of the meeting of December 16, 2020, copies of which had been forwarded to the Board Members in advance of the meeting. Mr. Black moved approval of the minutes as presented. Ms. Thomas seconded the motion. It passed unanimously.

Addition/Changes to the Agenda

Mr. Secrist asked if there were any additions to the agenda as published. He noted that the performance evaluation of the Election Director performed at the last meeting needed to be reconsidered and asked that this item be included on the agenda under Closed Session. Ms. Thomas moved approval of the agenda with this addition. Ms. MacKinnon seconded the motion. It passed unanimously.

Public Comments

There were no public comments.

Election Director's Report

Ms. Cook reported on the following matters:

- The Maryland Association of Election Officials conference has been postponed until September with the expectation that the pandemic will be more under control.
- There are over 40 pieces of legislation introduced this legislative session concerning election matters. One in particular addresses several aspects of the election law. Most will affect the cost of running elections and the county has asked for fiscal notes from her regarding the potential cost to the county.
- The manual audit of the last election is set for February 10. This is an in-person audit. The Election Directors from other counties have been assisted to assist. Local Central Committees have been advised that, due COVID restrictions, attendance will be limited to appointment only.
- State Board of Elections Human Resources office recommends we continue to limit our office space to one person at a time.
- She will be working with staff from Easton, Trappe and Oxford in preparing for their upcoming elections.
- Dr. Yonkers sent to the Election Director a letter commending her and those involved in the last election for their success in conducting the election, given the extenuating circumstances.
- She is working on the justification for space to be presented to the County Council on February 23. She expects a report for the Board in early February.
- The Proclamation from the County Council regarding the success of the last election is being reproduced and sent to all the judges who worked on the election.

Mr. Secrist noted that Judicial Watch recently published a list of 13 counties in Maryland that have more registered voters than people eligible to vote. Talbot County was number 13 on the list. He asked what can be done to clean up the voting rolls. Ms. Cook summarized the steps that must be taken to remove someone from the rolls.

Board Attorney's Report

Ms. Ryan reported that COMAR has been updated and she received a copy from Ms. Nikki Charlson at the State Board. Ms. Ryan will prepare copies for the Board Members.

Discussion was held regarding the procedure to conduct closed sessions while meeting virtually so as to comply with the Open Meeting Act and the requirement to report on the actions taken in closed session upon returning to open session. Ms. Ryan agreed to speak to staff at the State Board regarding their procedure where so many meetings are being held virtually. It was the consensus of the Board Members to continue to hold meetings by video conferencing and to mute the audio and reconvene via separate audio conference call, followed immediately by return to the video conference to report on the events occurring in the closed session.

Old Business

a. Facility for Election Office

Ms. Cook reported earlier she is preparing a presentation on our space needs for our meeting with the County Council in February.

b. Review Invoices

Ms. Cook previously provided Board Members with copies of invoices received since the last meeting. There were no questions from Board Members.

c. Budget FY2021

Ms. Cook previously provided reports on expenditures recorded by the county through November. Also provided was a report on expenditures she was aware of up to December.

d. County Bulletins

Ms. Cook previously provided County Bulletins to each Board Member. She responded to questions from Board Members.

New Business

a. Budget FY2022

Ms. Cook provided a proposed budget for the upcoming Fiscal Year. Mr. Secrist led a discussion of the of the individual line items in her proposal. During discussion of the Salaries – Part Time (Acct. 5005) for the Election Category, discussion was had concerning the need for a Parttime person throughout the entire year. Ms. Cook explained her concern in limiting that person's time. Following discussion of the need for a year-round parttime person, Mr. Bulman moved that the Board adopt a budget which includes \$20,000 for Part Time Salaries (Acct. 5005) for the Election Category. Ms. Thomas seconded the motion. It passed by a vote of 3 in favor (Mr. Bulman, Ms. Thomas, Mr. Secrist) and 2 opposed (Mr. Black, Ms. MacKinnon).

During the discussion of Postage (Acct. 5110) For the Election Category, Ms. Cook agreed that the postage needed for Education District changes, if needed, could be reduced by \$2,000. Mr. Bulman moved that the Board adopt a budget which includes \$16,000 for Postage (Acct. 5110). Ms. Thomas seconded the motion. It passed by a vote of 4 in favor (Mr. Bulman, Ms. Thomas, Mr. Secrist, Ms. MacKinnon), none against and 1 abstention (Mr. Black).

During the discussion of Voting Equipment Lease, Ms. Cook pointed out that she inadvertently included the annual amount of the lease twice, reducing her requested amount by \$50,000.

During the discussion of Salaries Part Time for Election Judges (Acct. 5005) for Reelect Category, Mr. Secrist questioned the number of judges and the need for judges to assist in the canvass for 6 days proposed for the next Primary Election. He suggested that the budget be reduced by \$7,000. No action was taken on his suggestion.

Whereupon, Mr. Bulman moved that the Board approve a budget request for FY2022 of \$654,106. Ms. Thomas seconded the motion. It passed by a vote of 4 in favor (Mr. Bulman, Ms. Thomas, Mr. Secrist, Ms. MacKinnon), none against and 1 abstention (Mr. Black).

Confirmation of next meeting

Mr. Secrist noted that the next meeting of the Board will be Wednesday, February 17, 2021 at 9:30 a.m.

Board of Canvassers convene

Ms. Cook suggested that the Board of Elections consider approval of the minutes of the last Board of Canvassers meeting. Copies of the draft minutes were previously provided to Board Members. Mr. Black moved approval of the minutes of the Board of Canvassers meeting of December 16, 2020, as submitted by Ms. Cook. Ms. Thomas seconded the motion. It passed unanimously.

Closed Session


Ms. Thomas moved that the Board go into closed session for the purpose of discussing personnel matters as permitted under General Provisions Art. 3-305(b) (1). Mr. Bulman seconded the motion. It passed unanimously. Whereupon the Board went into closed session at 11:29 a.m. for the purpose of discussing the Election Director's performance review. Present at this session were Board Members Mr. Secrist, Mr. Black, Ms. Thomas, Ms. MacKinnon and Mr. Bulman. Also present was Board Attorney Ms. Ryan.

At 12:06 p.m. the Board returned to open session where Ms. Cook was present. President Secrist reported that, to fully comply with State rules for Employee Evaluations, the Board met again to review the Election Director's performance.


Adjournment

Mr. Black moved adjournment of the meeting. Ms. Thomas seconded the motion. It passed unanimously. The meeting adjourned at 12:14 p.m.

Attested,


Joseph H. Secrist, Jr., President

Respectfully submitted,


Richard B. Bulman, Secretary

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")
UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)**

This form has two sides. Complete items 1 – 4 before closing the meeting.

1. Recorded vote to close the meeting: Date: January 20, 2021; Time: 11.29 a.m.;
Location: Virtual; Motion to close meeting made by: Mr. Bulman, Seconded by
Ms. Thomas; Members in favor: Secrist, Black, Bulman, Thomas, MacKinnon; Opposed:
None; Abstaining: None; Absent: None.

**2. Statutory authority to close session (check all provisions that apply).
This meeting will be closed under General Provisions Art. § 3-305(b) only:**

(1) X "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; **(2) ___** "To protect the privacy or reputation of individuals concerning a matter not related to public business"; **(3) ___** "To consider the acquisition of real property for a public purpose and matters directly related thereto"; **(4) ___** "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; **(5) ___** "To consider the investment of public funds"; **(6) ___** "To consider the marketing of public securities"; **(7) ___** "To consult with counsel to obtain legal advice"; **(8) ___** "To consult with staff, consultants, or other individuals about pending or potential litigation"; **(9) ___** "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; **(10) ___** "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; **(11) ___** "To prepare, administer, or grade a scholastic, licensing, or qualifying examination"; **(12) ___** "To conduct or discuss an investigative proceeding on actual or possible criminal conduct"; **(13) ___** "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter"; **(14) ___** "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process." **(15) ___** "To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information . . . or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices."

Continued →

3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

Citation (insert # from above)	Topic	Reason for closed-session discussion of topic
§3-305(b) (1)	Performance Review	Discuss Election Director's Performance
§3-305(b) ()		
§3-305(b) ()		
§3-305(b) ()		
§3-305(b) ()		

4. This statement is made by Joseph H. Skamberg, Presiding Officer.

WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION FOR SUMMARY TO BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN MEETING. (See also template for summary.)

➤ **For a meeting closed under the statutory authority cited above:**

Time of closed session: _____

Place: _____

Purpose(s): _____

Members who voted to meet in closed session: _____

Persons attending closed session: _____

Authority under § 3-305 for the closed session: _____

Topics actually discussed: _____

Actions taken: _____

Each recorded vote: _____

➤ **For a meeting recessed to perform an administrative function (§ 3-104):** Time: _____

Place: _____

Persons present: _____

Subjects discussed: _____